Express Mail Label No. Dated: _____

Docket No.: 20052/1200517-US3

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSIT re Patent Application of:
Randolph J. Noelle et al.

Application No.: 09/467,317

9/467,317 Confirmation No.:

Filed: December 20, 1999 Art Unit: 1644

For: USE OF ANTIBODIES THAT

SPECIFICALLY BIND CD40CR (CD40 LIGAND) TO INHIBIT HUMORAL

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Examiner: P. Gambel

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This IDS is filed to make of record (1) the Federal Circuit decision in Noelle v. Lederman, and (2) references cited in an Australian progeny case (Australian Patent No. 743,824) of the instant application. It is noted that the references in the present IDS were published after the priority date of the instant application.

Application No.: 09/467,317 2 Docket No.: 20052/1200517-US3

This Information Disclosure Statement is filed before the mailing date of a first Office Action after the filing of a Request for Continued Examination under 37 CFR 1.114 (37 CFR 1.97(b)(4)).

A copy of each document on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: March 17, 2004

Respectfully submitted,

Paul F. Fehlner, Ph.D.

Registration No.: 35,135

DARBY & DARBY P.C.

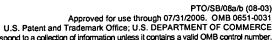
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

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	Complete If Known			
	Application Number 09/467,317			
	Filing Date	December 20, 1999		
	First Named Inventor	Randolph J. Noelle		
	Art Unit	1644		
	Examiner Name	P. Gambel		
	Attorney Docket Number	20052/1200517-US3		

	U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	۴		

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NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	r Cite Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (to magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, country where published.		T ²		
	CA	Buhlmann et al., J. Clin. Immunol. 1996;16(2):83-89			
	СВ	Datta et al., Arthritis. Rheum. 1997;40(10):1735-1745			
	CC	Kallad et al., J. Immunol. 1998;160:2158-2165			
	CD	Kirk et al., Proc. Natl. Acad. Sci. USA 1997;94(16):8789-94			
	CE	Koshy et al., J. Clin. Invest. 1996;98(3):826-837			
	CF	Noelle v. Lederman, 2004 U.S. App. Lexis 774, Fed. Cir. January 20, 2004			
	CG	Yellin et al., Arthritis. Rheum. 1997;40(1):124-34			

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner	Date	
Signature	 Considered	

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